

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

DOUGLAS D. SIMMONS,

Plaintiff,

v.

**CAROLYN W. COLVIN,
Acting Commissioner of
Social Security Administration,**

Defendant.


Case No. 14-cv-328-JHP-SPS

**ORDER AFFIRMING AND ADOPTING THE REPORT AND
RECOMMENDATION OF THE UNITED STATES
MAGISTRATE JUDGE**

On March 3, 2016, the United States Magistrate Judge entered a Report and Recommendation in regard to Plaintiff's request for judicial review of the decision of the Commissioner of the Social Security Administration. The Magistrate Judge recommended that the decision of the Administrative Law Judge be reversed and the case be remanded to the Administrative Law Judge for further proceedings consistent with this Order. The Commissioner filed an objection to the Magistrate Judge's Report and Recommendation on March 11, 2016, and Plaintiff filed a response on March 18, 2016. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b).

This Court finds that the Report and Recommendation of the Magistrate Judge is supported by the record. Therefore, upon full consideration of the entire record and the issues presented herein, the Court finds and orders that the Report and Recommendation entered by the United States Magistrate Judge on March 3, 2016, be **AFFIRMED** and **ADOPTED** by this Court as its Findings and Order and the decision of the Commissioner is **REVERSED** and the case **REMANDED** for further proceedings consistent herewith.

IT IS SO ORDERED this 28th day of March, 2016.



James H. Payne
United States District Judge
Eastern District of Oklahoma